

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA

Plaintiff,

v.

30.00 ACRES OF LAND, MORE OR LESS,
SITUATED IN HIDALGO COUNTY,
STATE OF TEXAS; AND ALEIDA
FLORES aka ALEIDA GARCIA

Defendant.

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CASE NO. 7:19-CV-270

ORDER

Before the Court is the “Joint Motion for Order Establishing Distribution of Funds on Deposit in the Registry of the Court, And Closing Case” for Tract RGV-MCS-1200 filed by the United States of America and Defendant Aleida Flores. Per Court Order, the just compensation as to Tract RGV-MCS-1200¹ (“Subject Property”) is \$250.00 and the Parties now seek an order: (1) to disburse the just compensation; and (2) closing this case on the Court’s docket.

I. BACKGROUND

1. This case was commenced on August 5, 2019, with the United States seeking a 12 month temporary assignable easement for survey in the property identified as Tract RGV-MCS-1200.² On August 6, 2019, the United States deposited one hundred dollars (\$100.00) with the Registry of the Court as estimated just compensation.³ On August 7, 2020, the United States deposited one

¹ See Dkt. No. 5 & 31.

² See Dkt. Nos. 1 & 2.

³ See Dkt. No. 5.

hundred and fifty dollars (\$150.00) in the Registry of the Court, as additional just compensation, as per Court Order.⁴

II. STIPULATION AND JUDGMENT

2. The United States and Defendant Aleida Flores now jointly request an Order to disburse the two hundred and fifty dollars (\$250.00) just compensation for Tract RGV-MCS-1200 in this action, and agree this is in full satisfaction of any claim of whatsoever nature by Defendant against the United States for the institution and prosecution of the above-captioned action. The parties request an Order closing the case on this Court's docket. Defendant warrants that: (a) she is the owner of the Subject Property; (b) that she has the exclusive right to the compensation, herein; excepting the interests of parties having liens, leases, encumbrances of record, and unpaid taxes and assessments, if any; and (c) that no other party in this case is entitled to the same or any part thereof by reason of any unrecorded agreement.⁵

3. The parties seek immediate disbursement of the funds on deposit in the Registry of the Court and have agreed that the funds should be disbursed as follows:

- i. Two hundred and fifty dollars and 00/100 (\$250.00) to Aleida Flores, with accrued interest from the date of deposit.

4. Based on the foregoing, the Court finds that, as per this Court's Order, just compensation has been established. Final judgement is hereby entered against the United States in the amount of two hundred and fifty dollars and 00/100 (\$250.00), along with any accrued interest. This sum is in full satisfaction of any claims whatsoever by Defendant against the United States for the institution and prosecution of the above-captioned action.

⁴ See Dkt. No. 30.

⁵ See Dkt. No. 32 at p. 2, ¶ 4(b)

III. HOLDING

The Court **ORDERS** the Clerk of Court to **DISBURSE** the total sum of two hundred and fifty dollars and 00/100 (\$250.00), **along with any accrued interest earned thereon while on deposit**, payable by check as follows:

- i. Two hundred and fifty dollars and 00/100 (\$250.00) to Aleida Flores, with accrued interest from the date of deposit.

IT IS HEREBY ORDERED that this case be DISMISSED and CLOSED on the Court's docket.

IT IS SO ORDERED.

DONE at McAllen, Texas, this ____ day of _____, 2020.

Micaela Alvarez
United States District Judge